

AO440 (REV. 10/93) Summons in a Civil Action

United States District Court  
Northern District of Illinois

**MARCH 4, 2008**  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

SUMMONS IN A CIVIL ACTION

DeValius McDonald

Plaintiff

vs.

**CASE NUMBER:** 08 cv 155

**JUDGE:** Suzanne B. Conlon

SPC

Defendant

**TO:** SPC

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon plaintiff:

Name: DeValius McDonald  
Address: #055990  
Kane - KCJ  
777 East Fabyan Parkway  
City: Geneva, IL 60134

an answer to the complaint which is herewith served upon you, within [20] days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

  
By: Gwen Rosegay  
Deputy Clerk

Dated: March 4, 2008

<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me: ^	DATE	
NAME OF SERVER (Print)	TITLE	
<i>Check one box below to indicate appropriate method of service:</i>		
<p><input type="checkbox"/> Served personally upon the defendant. Place where served: _____</p> <p>_____</p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____</p> <p>_____</p> <p><input type="checkbox"/> Returned unexecuted: _____</p> <p><input type="checkbox"/> Other (specify): _____</p> <p>_____</p> <p>_____</p>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center; width: 40%;"> <p>Date</p> </div> <div style="text-align: center; width: 40%;"> <p>Signature of Server</p> </div> <div style="text-align: center; width: 20%;"></div> </div> <div style="text-align: center; margin-top: 20px;"> <p>_____ Address of Server</p> </div>		

^As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	SUZANNE B. CONLON	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 155	DATE	2/27/08
CASE TITLE	DeValius McDonald (#055990) v. SPC		

## DOCKET ENTRY TEXT:

Plaintiff's motion for leave to file *in forma pauperis* [3] is granted. The Court orders the trust fund officer at Plaintiff's current place of incarceration to deduct \$ 9.00 from Plaintiff's account for payment to the Clerk of Court as an initial partial filing fee. The Clerk shall send a copy of this order to the trust fund officer at Kane County Jail. The Clerk shall issue summonses and attach a Magistrate Judge Consent Form to the summons for each defendant, and send Plaintiff said Form and Instructions for Submitting Documents along with a copy of this order.

*Suzanne B. Conlon*

☐ [For further details see text below.]

Docketing to mail notices.

## STATEMENT

Plaintiff DeValius McDonald is granted leave to file *in forma pauperis*. Pursuant to 28 U.S.C. § 1915(b)(1), Plaintiff is assessed an initial partial filing fee of \$ 9.00. The trust fund officer at Plaintiff's current place of incarceration is ordered to collect, when funds exist, the partial filing fee from Plaintiff's trust fund account and pay it directly to the Clerk of Court. After payment of the initial partial filing fee, the trust fund officer is authorized to collect monthly payments from Plaintiff's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from Plaintiff's trust fund account shall be forwarded to the Clerk of Court each time the amount in the account exceeds \$10 until the full \$350 filing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, IL 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify Plaintiff's name and the case number assigned to this action.

Plaintiff is instructed to file all future papers concerning this action with the Clerk of Court in care of the prisoner correspondent. In addition, Plaintiff must send an exact copy of any filing to defendants or, if represented by counsel, to counsel for defendants. Plaintiff must include on the original filing a certificate of service stating to whom exact copies were mailed and the date of mailing. Any paper that is sent directly to the judge or otherwise fails to comply with these instructions may be disregarded by the Court or returned to Plaintiff.

A TRUE COPY - ATTEST  
MICHAEL W. DOBBINS, CLERK

BY: *[Signature]*

DEPUTY CLERK

U.S. DISTRICT COURT, NORTHERN  
DISTRICT OF ILLINOIS

DATE: *3/4/08*

Courtroom Deputy  
Initials:

CLH

**STATEMENT**

The United States Marshals Service is appointed to serve defendant. Any service forms necessary for Plaintiff to complete will be sent by the Marshal as appropriate to serve defendant with process. The U.S. Marshal is directed to make all reasonable efforts to serve defendant. The Marshal is authorized to mail a request for waiver of service to defendant in the manner prescribed by Fed. R. Civ. P. 4(d)(2) before attempting personal service.

*Suzanne B. Corbin*

FILED

Case 1:08-cv-00155

Document 8

Filed 02/04/2008

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BR

FEBRUARY 27, 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

RECEIVED

JAN 08 2008  
JAN 8, 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DeValius McDonald

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

vs.

SPC

08CV155  
JUDGE CONLON  
MAGISTRATE JUDGE VALDEZ

Case No: \_\_\_\_\_  
(To be supplied by the Clerk of this Court)

(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

CHECK ONE ONLY:

\_\_\_\_\_  
COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

\_\_\_\_\_  
COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

☒ OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

**I. Plaintiff(s):**

- A. Name: DeValius McDonald
- B. List all aliases: none
- C. Prisoner identification number: 055990
- D. Place of present confinement: Kane County Jail
- E. Address: 777 East Fabian Parkway, Geneva, IL 60134

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: SPC  
Title: Company  
Place of Employment: P.O. Box 6807, Garden Grove, California
- B. Defendant: none  
Title: \_\_\_\_\_  
Place of Employment: \_\_\_\_\_
- C. Defendant: none  
Title: \_\_\_\_\_  
Place of Employment: \_\_\_\_\_

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: DeValius McDonald -vs- Dr. KIM  
07C-7221
- B. Approximate date of filing lawsuit: December 26, 2007
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: DeValius McDonald
- D. List all defendants: Dr. KIM
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Northern District of ILLINOIS
- F. Name of judge to whom case was assigned: Judge BUCKLO  
Magistrate Judge Keys
- G. Basic claim made: Prescribed and dispensed wrong medication  
without plaintiffs knowledge or permission that caused  
heart to spatter, skip beats and heart spasms.
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Still pending
- I. Approximate date of disposition: none as of yet.

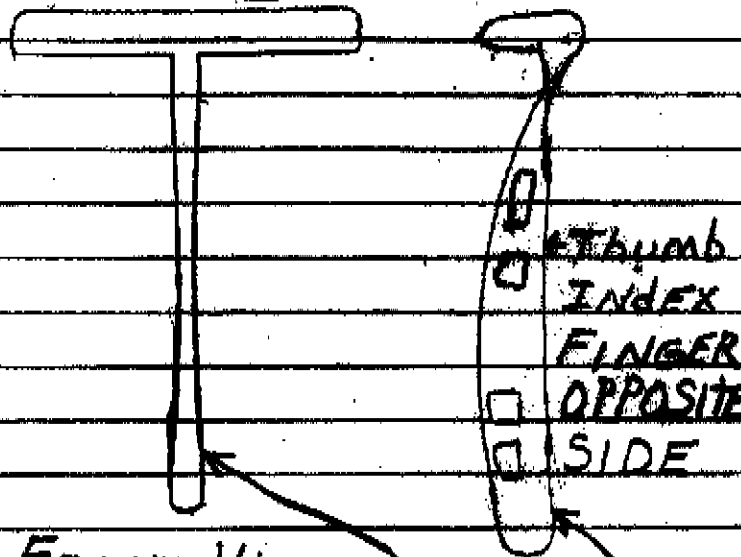
IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

Exhibit A

Unsafe Razor

USA  
SPC  
Patent  
Pend

COLOR:  
ORANGE



THUMB  
INDEX  
FINGER  
OPPOSITE  
SIDE

FRONT VIEW

LEFT SIDE VIEW



HANDLE

DRAWING IS ACTUAL  
SIZE



#### IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

The razors that are produced by SPC (see Exhibit A) are dangerous and hazardous to the general safety, health and well being of the public. This razor should be removed from the market and not sold to anyone for the purpose of shaving. The handle is small, short and thin. It is too cumbersome to hold securely when wet in the grip of the fingers. Self mutilation and profuse bleeding from cuts, slashes and lacerations of the skin is the norm when attempting to shave with this crude, defective and poorly designed product. This barbaric device should never be allowed to be sold or used under the title safety razor. Under no condition or circumstances should anyone be allowed to use this dangerous and unsafe product, uncontrolled bleeding could result from its use, requiring one to go to the hospital emergency room for first aid treatment. There is nothing safe about this razor. I ask that this product not be patented as a safety razor, not to be sold as a safety razor and all such

razors to be removed immediately from the market. I am a 58 year old male who has been shaving since the age of 13. This is the most dangerous razor that I have ever used in my life. For the pain from cuts, slashes and lacerations and profuse bleeding of my scalp and face as well as the large scabs and sores which have made daily shaving with this product impossible and the suffering that I had to endure, relief in the sum of \$1,500,000.00 is asked.

## V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Relief in the sum of \$1,500,000.00, not to be patented  
as a safety razor and removal for the market place.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

## CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 23 day of Dec, 2007

[Signature]

(Signature of plaintiff or plaintiffs)

DeValius McDonald

(Print name)

056990

(I.D. Number)

Kane County Jail

777 East Fabyan Parkway

Geneva, IL 60134

(Address)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
Consent to Exercise of Jurisdiction  
By a United States Magistrate Judge**

Case Title

Case Number:

Assigned Judge:

V.

Designated  
Magistrate Judge:

In accordance with the provisions of Title 28 U.S.C. §636(c), the undersigned party or parties to the above-captioned civil matter hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of a final judgment. Should this case be reassigned to a magistrate judge other than the magistrate judge designated pursuant to Local Rule 72, the undersigned may object within 30 days of such reassignment. If an objection is filed by any party, the case will be reassigned to the district judge before whom it was last pending.

_____ Date	By:	_____ Signature	_____ Name of Party or Parties
_____ Date	By:	_____ Signature	_____ Name of Party or Parties
_____ Date	By:	_____ Signature	_____ Name of Party or Parties
_____ Date	By:	_____ Signature	_____ Name of Party or Parties

Note: File this consent *only* if all parties have consented on this form to the exercise of jurisdiction by a United States magistrate judge.